

APPENDIX B:

SUBDIVISION APPLICATION FORM, CONTENTS, AND SUPPLEMENTS

1. Preliminary Plat Form

A legible preliminary plat or site plan shall be submitted at a scale sufficient to minimize the number of sheets while maintaining clarity and shall be on one or more sheets at least 11 X 17 inches in size. The preliminary plat must show all pertinent features of the proposed subdivision and the location of all proposed improvements. An electronic copy (*read only* PDF) must also be submitted.

2. Preliminary Plat Contents

The preliminary plat or site plan submitted for approval shall show or contain on the face of the plat or site plan or on separate sheets referenced on the face of the plat or site plan the following information. (Five blue-line copies shall be provided for major or subsequent minor subdivisions, three copies for first minor subdivisions.) A current topographic map, an aerial photograph or a location map of the largest scale available, with an outline of the subdivision clearly indicated thereon may be used to provide the information required below and in Subdivision Application Supplements:

- a. Name and location of the subdivision, scale, scale bar, north arrow, and date of preparation.
- b. The approximate exterior boundaries of the tract and the approximate location of all section corners or legal subdivision corners of sections pertinent to the subdivision boundary. If available, a metes and bounds or other legal description, or copy of previously recorded certificates of survey or subdivision plats, shall be submitted.
- c. All lots and blocks, designated by numbers, and the approximate dimensions and area of each lot.
- d. All streets, alleys, avenues, roads and highways, and the width of the right-of-way, grades and curvature of each, existing and proposed street names, and proposed locations of intersections, or other access points for any subdivision requiring access to arterial or collector highways.

- e. The approximate location, boundaries, dimensions and areas of any parks, common grounds, or other grounds dedicated for public use.
- f. Any existing and proposed utilities located on or adjacent to the tract including:
 - 1) The approximate location, size and depth of water mains, sanitary and storm sewers, and fire hydrants.
 - 2) The approximate location of nearest water mains and sewer lines where none are located on or adjacent to the tract.
 - 3) The approximate location of gas, electric, cable TV, and telephone lines, and streetlights.
- g. Ground contours shall be provided for the tract according to the following requirements:

Where average slope is

Contour intervals shall be

Under 10%

2 feet

(If all lots are over one acre in size, 5-foot intervals may be used.)

Between 10% and 15%

5 feet

15% or greater

10 feet

U.S. Geological Survey data or other information may be used if it meets the foregoing interval requirements.

- h. The approximate location of existing buildings, structures and improvements.
- i. The approximate location and identity of all existing easements and rights-of-way of record and proposed county road and private easements and rights-of-way of record, including descriptions of their width and purpose.

3. Subdivision Application Supplements

For a major or subsequent minor subdivision, five copies of a complete subdivision application, including a copy in an electronic form (*read only* PDF) shall be supplied to the County Planning Department. For a first minor subdivision, three copies of a complete application, including a copy in an electronic form (*read only* PDF) shall be submitted to the County Planning Department.

The following shall be supplied with and considered a part of the subdivision application:

- a. A vicinity map or maps and electronic copies showing conditions on adjacent land. Lands separated from the exterior boundary of the subdivision by public or private right-of-way are deemed to be adjacent for the purpose of this requirement. The map(s) shall include:
 - 1) The names of platted subdivisions and numbers of certificates of survey previously recorded.
 - 2) Any access road leading from a present public right-of-way to the boundary of the proposed subdivision.
 - 3) Location of any buildings, railroads, power lines, towers, roads, and other land uses.
 - 4) Any existing or proposed zoning.
- b. When a tract of land is to be subdivided in phases, the subdivider must provide an overall development plan indicating intent for the development of the remainder of the tract.
- c. Copies of any existing and proposed covenants and restrictions to be included in deeds or contracts for sale.
- d. If common property is to be deeded to a property owners' association, the subdivider shall submit the articles of incorporation, bylaws, and covenants and restrictions that will govern the association. These covenants and restrictions shall be in accordance with the requirements contained in Chapter III, section C.7, Property Owners' Association.
- e. Preliminary grading and drainage plan with accurate dimensions, courses and elevations, showing the proposed grades of streets and drainage improvements.
- f. Drafts of guarantee of public improvements, if applicable.
- g. An environmental assessment shall accompany the major and subsequent minor subdivision application unless the subdivider is eligible for a valid exemption. Appendix C-1 provides the format of the assessment and questions to be addressed by the subdivider. Additional copies may be requested by the County Planning Department.

- h. A letter from the subdivider describing the status of mineral and water rights on the property based on his/her research of the property deed.
- i. A determination of the amount of cash payment in-lieu of park dedication, if proposed. See Chapter XI, Section R. Parkland for determining cash-in-lieu of parkland.
- j. Parts I, II, III of the DEQ Joint Application Form for major and subsequent minor subdivision applications. Part I of the DEQ Joint Application Form for first minor subdivision applications.
- k. Submission of substantial, credible evidence that the water system and the wastewater system designs for the proposed subdivision will comply with DEQ requirements, and the evidence shall meet the requirements set forth in Section 76-3-622 MCA. (See Chapter XI.M. for requirements of this statute)
- l. Each variance request, when applicable.
- m. A Certificate of Title for the subject property/ies (from a title company licensed in the State of Montana) that is not older than six (6) months.
- n. Detailed traffic impact study certified by an engineer, licensed in the State of Montana, based upon the current editions of Institute of Transportation Engineers (ITE) standards and the *Highway Capacity Manual* that provides for the following:
 - existing traffic volumes;
 - existing traffic conditions: lanes, traffic control, access control, etc.;
 - projected traffic volumes (based upon ITE standards) of internal, adjacent, and off-site roads within the traffic impact corridor as described in Chapter XI.H.3;
 - projected traffic distribution and assignment on adjacent, and off-site roads within the traffic impact corridor as described in Chapter XI.H.3;
 - traffic analysis, including existing and projected Levels of Service (LOS) etc. of internal, adjacent, and off-site roads and intersections within the traffic impact corridor as described in Chapter XI.H.3; and
 - conclusions and recommendation.

In lieu of using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (latest edition), specific trip generation studies

that have been conducted for a particular land use for the purposes of estimating peak-hour and average daily traffic trip-generating characteristics may be utilized. The Lewis and Clark County Public Works Director (or his/her designee) shall approve the use of these studies prior to their inclusion in a traffic impact analysis. A site specific trip generation study must be certified by an engineer licensed in the State of Montana.

- o. Ownership information, such as deed(s), options to buy or buy-sell agreement; permission to subdivide; certificate(s) of survey
- p. any special improvement districts the proposed subdivision would be part of.
- q. existing zoning or development regulations standards and rights of first refusal for the property.
- r. In order to facilitate site investigations, the applicant shall establish visible flagging on the property, located at a minimum on property boundary corners and the entrance intersections of main access roads. This flagging must be established at the time of submittal of subdivision application.
- s. A fire protection plan that states how the Fire Protection Standards (Chapter XI.S and Appendix K) of the Lewis and Clark Subdivision Regulations will be addressed.

4. Additional Supplements for Non-residential Units

Applications for non-residential units shall include a list of specific non-residential activities, which would be allowed within the subdivision and any activities expressly prohibited.

Applications for non-residential units shall include a detailed scaled site plan and accompanying text showing and describing the following:

- a) location, dimensions, height, and area of all structures;
- b) location, dimensions, area, and plant descriptions of all landscaping features accompanied by a plan for continuous maintenance and watering of required natural screening;
- c) location, dimensions, height, area, lighting, and construction of all signs (commercial and traffic control);
- d) location, dimensions, and capacity of all drainage facilities;

- e) location and dimensions of roadways, parking lots, road approaches, and other driveways;
- f) location and number of all parking spaces, including handicapped parking (where applicable);
- g) roadway and parking lot construction cross sections;
- h) traffic generation estimates by each non-residential activity; and
- i) preliminary water and wastewater designs to be submitted to the Montana DEQ and the City-County Health Department.

5. Presentation of Subdivision Application and Supplements

The preliminary plat or site plan, subdivision application and supplements shall be submitted in an organized format with a cover sheet, table of contents, identification tabs for each section and shall be bound in a three ring binder or with a comb binder. Five bound copies shall be submitted for major or subsequent minor subdivision applications and three bound copies shall be submitted for first minor subdivision applications. The Applicant shall also provide Planning Staff with a copy in an electronic form (*read only* PDF). The materials submitted in electronic format shall utilize folder and file names reflective of their content.